

Subject: Message from the Acting Provost on unionization efforts

Dear faculty:

Recently, several Marquette faculty members have notified university leadership about union solicitations they have received from Service Employees International Union (SEIU) Local 1. We understand that SEIU representatives have approached non-tenure-track faculty members as they exit their classrooms, seeking signatures for authorization cards. Please know that Marquette has not divulged the names, contact information or class schedules of our non-tenure-track faculty, and that no faculty member is under any

obligation to speak with a union organizer or respond to their outreach if they do not wish to do so.

Non-tenure-track faculty who sign the SEIU authorization cards are not just showing support for the union. In fact, they are giving the union the right to represent them in negotiations with the university. The goal of the SEIU – which typically represents health care, cleaning and security employees, not academics – is to secure signatures from 30 percent of our non-tenure-track faculty members so that the National Labor Relations Board is required to conduct an election. It is important to note that if the SEIU secures signatures from more than 50 percent of our non-tenure-track faculty, then all non-tenure-track faculty at Marquette will be unionized **without** an election. We encourage all non-tenure-track faculty to read the SEIU authorization cards carefully and know what you are agreeing to.

As a leading Jesuit, Catholic university, Marquette affirms the Catholic belief, echoed by Pope Francis, that the dignity of each person includes the right to fulfilling and life-sustaining work. **Our strong preference is to maintain a direct working relationship with our faculty—without a third party intermediary that may not understand our university, our mission, or our guiding values.** This direct working relationship — one built on a long history of mutual respect and direct dialogue — is one of the many reasons Marquette is such a unique and rewarding place to work.

Marquette greatly values our non-tenure-track faculty and their many contributions to our university community. During the past decade, Marquette has:

- Increased both full- and part-time non-tenure-track faculty pay in the Klingler College of Arts and Sciences – which has the largest number of non-tenure-track faculty
- Added a tuition remission benefit for part-time faculty with a full academic year contract
- Ensured all employees – faculty and staff, full and part-time – have the same eligibility requirements for the retirement plan match annuity, Employee Assistance Program and fee discount for the Rec Center/Rec Plex
- In accordance with the Affordable Care Act, provided medical, dental and vision insurance with employer contributions to all full-time non-tenure-track faculty, and offered access to Marquette's medical, dental and vision insurance for part-time faculty

Our current operating model of utilizing a mix of tenure-track and non-tenure-track faculty helps control costs, maintain flexibility and offer our students unique perspectives, while at the same time ensuring we are providing the highest-quality transformational education at a price that is competitive with our peer universities.

Having a union would mean that wages, hours and working conditions for non-tenure-track faculty would be determined through collective bargaining between the SEIU and the university administration, rather than handled through our shared governance system. If the union succeeds, our faculty will be legally divided into two separate groups.

Marquette respects the lawful right of employees to decide whether they wish to be represented by a union. Ultimately, the decision about whether or not to support the SEIU in their unionization effort is up to our non-tenure-track faculty. At the same time, the issue of union representation is of critical importance to every single faculty member, as well as to the university as a whole. We urge you to be informed and engaged. Please take a look at the fact sheet below and reach out to me or Dr. Gary Meyer, senior vice provost for faculty affairs, with questions.

Sincerely,

Dr. Kimo Ah Yun
Acting Provost and Executive Vice President of Academic Affairs

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Know the Facts – Union Representation

SEIU seeks to gain enough signatures to hold a vote on whether the union will be the sole representative of non-tenure-track faculty for purposes of negotiating their pay, benefits and other working conditions through collective bargaining. What does this really mean for non-tenure-track faculty?

- **If 30 percent of the non-tenure-track faculty identified as being in the bargaining unit sign the authorization cards, the National Labor Relations Board will hold an election. If more than 50 percent of the non-tenure-track faculty sign the cards, there will be no election, and the union will be certified to represent all non-tenure-track faculty in the bargaining unit.** This means that if non-tenure-track faculty members signed the cards because they believe people should be allowed to vote, they (and all other non-tenure-track faculty in the bargaining unit) could become part of the union even without an election being held.
- **If the SEIU gains the right to hold an election and prevails, non-tenure-track faculty members who are eligible to vote cannot opt out of union representation.** Non-tenure-track faculty would be subject to whatever terms may be agreed upon for the entire bargaining unit of non-tenure-track faculty members, regardless of whether or not they voted in an election to organize a union, or how they voted. Individuals cannot choose whether to be a part of the bargaining unit represented by the union.
- **Because Wisconsin is a Right-to-Work state, no one can be required to join the union or pay dues to the union, but the wages, hours, and conditions of employment for all members of the bargaining unit are controlled by the union contract.** No member of the non-tenure-track faculty bargaining unit would be able to negotiate individual terms of employment.
- **There is no way to know whether the wages, hours and conditions of employment for the non-tenure-track faculty bargaining unit would change or remain the same, because everything would be subject to the negotiation process.** If non-tenure-track faculty members elect to have the SEIU represent them, SEIU is free to trade away existing benefits enjoyed by the faculty in exchange for terms important only to the SEIU. For example, unions often want a Dues Check-Off Clause, which requires an employer to deduct authorized dues from an employee's paycheck and remit them directly to the union. In fact, the National Labor Relations Board (NLRB) has specifically stated, "In the give-and-take of bargaining a union is free to give up items important to employees in exchange for dues check-off clauses." (La-Z-Boy, 281 NLRB 338 (1986))
- **If SEIU is elected to represent non-tenure-track faculty, shared governance will be replaced by collective bargaining. The SEIU would become the sole representative for everyone in the designated bargaining unit.** There are currently many avenues available today for non-tenure-track faculty to enhance their experience at Marquette by communicating with and working directly alongside senior leadership. If the SEIU is representing non-tenure-track faculty, however, Marquette would not be able to vary from the terms of the union contract to address a non-tenure-track faculty member's particular circumstances or preferences.

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